

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

CENTENE CORPORATION, et al.,

Plaintiff(s),

V.

XAVIER BECERRA, et al.,

Defendant(s).

No. 4:24-CV-01415-HEA

## **UNOPPOSED MOTION TO STAY**

Plaintiff Centene Corporation, along with its affiliated entities Bridgeway Health Solutions of Arizona, Inc., Coordinated Care Corporation, Managed Health Services Insurance Corp., Meridian Health Plan of Michigan, Inc., New York Quality Healthcare Corporation, Wellcare Health Insurance Company of Washington, Inc., Wellcare Health Insurance of the Southwest, Inc., Wellcare Health Plans of Vermont, Inc., Wellcare of Illinois, Inc., and Wellcare of Missouri Health Insurance Company, Inc. (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit this Unopposed Motion to Stay.

1. This case is about Plaintiffs’ claim that the Centers for Medicare & Medicaid Services (“CMS”) miscalculated Plaintiffs’ Medicare Advantage Star Ratings and subsequently published those ratings on October 10, 2024. Those Star Ratings appeared on the Medicare Plan Finder website for Medicare beneficiaries to rely upon in selecting a Medicare Advantage plan. In addition to enrollment, Star Ratings also affect the quality bonus payments (“QBP”) a plan may receive from CMS, which are used to reduce beneficiary premiums and/or increase health and related benefits.

2. On October 22, 2024, Plaintiffs filed their Complaint, challenging CMS' inclusion of test Call ID D1400849 in the calculation of Plaintiffs' D01 measure score, which in turn is used to calculate Plaintiffs' overall Star Rating.

3. After filing the Complaint, CMS agreed that test Call ID D1400849 should not be included in the calculation of Plaintiffs' D01 measure and overall Star Ratings.

4. On November 15, 2024, CMS released the QBP determinations for all plans, including Plaintiffs. In conjunction with that release, CMS updated Plaintiffs' Star ratings to reflect the removal of test Call ID D1400849 from the D01 measure and Plaintiff's overall Star ratings for the impacted contracts.

5. On December 2, 2024, CMS re-released its public 2025 Star Ratings Data Tables reflecting Plaintiffs' updated scores and updated the public data to reflect Plaintiffs' corrected Star ratings.

6. The parties have continued conferring on resolution of certain remaining issues arising from the erroneous Star rating calculations and anticipate final resolution in the near future.

7. Defendants' answer to the Complaint is due on December 30, 2024. In light of the Parties' ongoing efforts to fully and completely resolve this matter, Plaintiffs respectfully request that the Court stay the proceedings and grant both parties relief from deadlines, while the parties work to resolve any remaining issues in this case.

8. Counsel for Plaintiffs have conferred with counsel for Defendants, Assistant United States Attorney Regan Hildebrand, regarding this Motion to Stay and Defendants agree to the requested relief.

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Stay the proceedings in this case, including all deadlines; and

- B. Set a status conference for January 15, 2025, or other date thereafter that is convenient for the Court, in the event that this suit is not voluntarily dismissed in advance of that date.

Dated: December 10, 2024

Respectfully submitted,

By: /s/ Catherine Hanaway  
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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of December 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send a notice of electronic filing to all persons registered for ECF as of this date.

/s/ Catherine Hanaway